



**UN High Commissioner for Human Rights, Navi Pillay
Statement to the Media
22 March 2009, Kathmandu**

I would like to thank the Government of Nepal for the cooperation it has extended to me during my visit, and particularly for its willingness to discuss human rights issues frankly. I would also like to thank the people of Nepal for their warm welcome.

During my visit, I held discussions with the Government, including the President, Prime Minister, Speaker and Ministers of Foreign Affairs and Peace and Reconstruction. I also met commissioners of the NHRC and other national human rights institutions, members of civil society, victims of human rights violations and families of victims, leaders of political parties, diplomatic representatives and my UN colleagues. Yesterday, I travelled outside of Kathmandu, to Janakpur in the central Terai.

I congratulate the people of Nepal for the achievements of their historic struggle for democracy and the progress their country has made since the conflict ended. When I met the Prime Minister, I welcomed his stated commitment to end impunity and discrimination, and ensure respect for the human rights of all Nepalis. The confidence bestowed on the Prime Minister by the people of Nepal through an historic election places upon him a special responsibility. I told him that the Human Rights Council is also following closely the progress his Government is making to fulfil that commitment and to uphold the trust of the people of Nepal. As I say in my report to the Council, which will be discussed in Geneva next week, “Nepal has the real possibility to grasp the historic opportunity to prove itself as a leader in implementing its human rights commitments. Above all, the Nepalese people, who have suffered long years of deprivation and denial as a result of the conflict, are entitled to have their human rights respected and fulfilled.”

During my visit, I met several families whose loved ones were victims of serious human rights violations, both during and after the conflict and by the acts of both parties to the conflict. Their stories were similar and painfully reminiscent of the dozens that I heard during my eight years working with the International Criminal Tribunal for Rwanda – the families want the truth so they can have a sense of closure; they need reparations so they can start rebuilding their lives; and, most of all, they want justice. I want to emphasise that human rights were violated in these cases in Nepal, and under international law the State has a responsibility to ensure that the families obtain truth and justice. The demands of victims’ families are not mere wishes; they are supported by law. And until these demands for justice are fulfilled and accountability for past, and in particular ongoing, violations is ensured, a truly new Nepal will not emerge, and indeed, the peace process could be jeopardised.

My Office in Nepal played a significant role in protecting human rights in the last phase of the conflict. Since then, OHCHR-Nepal has adjusted to the changed environment in order to remain effective. We are supporting the establishment of a disappearances commission and a consultation process through which victims in particular will define an authentic mechanism to respond to their needs for truth and justice. My meetings here have reinforced my experience that it is essential to listen to and respond to the voices of victims. As regards the disappearances commission, I would like to strongly urge the Government to ensure that the Ordinance is submitted to genuine scrutiny by the Parliament during its upcoming sitting, as the Prime Minister assured me would happen, and revised to take into account concerns about specific provisions raised by the human rights community and my office.

I also discussed with the Prime Minister the ongoing work of my Office to support efforts to end discrimination and promote enjoyment of economic, social and cultural rights, issues in which his Government has expressed particular interest. These activities include working with civil society in the Far Western Region to empower the Haliya community of former bonded labourers. Discrimination and ESC rights is one of three priority areas identified by OHCHR-Nepal; the other two being strengthening national protection systems and promoting accountability and the rule of law.

While the focus of OHCHR-Nepal's operations has changed, its goal has not. The mandate, which includes both promoting and protecting human rights – with public reporting an essential tool – echoes the global mandate of my Office. As OHCHR-Nepal has adapted to changes in Nepal, we maintain the capacity to respond to any deterioration in the human rights situation, as we did in the past. The Office is also convinced that it is imperative that the national human rights system is able to assume that role. In that regard, we are providing support to civil society and to national human rights institutions, such as the Dalit and Women's Commissions and the Nepal Federation of Indigenous Nationalities. In February, we developed and signed Guidelines for Cooperation with the NHRC. I would encourage the Government to support the NHRC and respond in a timely manner to its recommendations, of which there is a considerable backlog.

In Janakpur yesterday, I sat with representatives of the media and human rights defenders who are determined to ensure the participation of the population of Nepal in the Constitution-making process. One of their greatest challenges remains their own security. I urge the Government to take concrete steps to ensure the security of human rights defenders, including journalists, who are the first line in defence of the human rights of all Nepalis.

Finally, I would like to turn to the extension of OHCHR-Nepal's mandate. As you know, we have requested the existing mandate be renewed for three years when it expires in June. I believe the work of my Office will support Nepal's efforts to address the remaining challenges of the peace process and the human rights issues that were both a cause and a consequence of the conflict. The Prime Minister assured me that discussions were taking place on the mandate extension, and that he would communicate a decision to me in two weeks. The leaders of the Nepali Congress, UML and MPRF all assured me of their support for the extension of this mandate. [We are also confident that we have the support of civil society.](#)

I am happy to be leaving Nepal with this good news.

Thank you.

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